

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1192

Introduced by Assembly Member Quirk

February 27, 2015

~~An act to amend Section 25401.9 of the Public Resources Code, relating to energy and water conservation. An act to add Section 38568 to the Health and Safety Code, relating to greenhouse gases.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1192, as amended, Quirk. ~~Landscape irrigation equipment performance standards and labeling requirements. California Global Warming Solutions Act of 2006: very low carbon transportation fuels.~~

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit to be achieved by 2020 equivalent to the statewide greenhouse gas emissions levels of 1990. The state board additionally is required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions. Pursuant to the act, the state board has adopted the Low Carbon Fuel Standard regulations.

This bill would authorize the state board to establish a very low carbon fuel market commitment program that requires wholesalers, producers, importers, or any other entity that provides transportation fuel to a retailer or sells transportation fuel to a consumer to include as part of their transportation fuel sales in the state percentages of very low carbon transportation fuel, as defined, as determined by the state

board. These provisions would become inoperative 5 years after the state board notifies the Secretary of State that very low carbon fuel sales have reached 2% of all transportation fuel sales in the state.

~~Existing law requires, to the extent that funds are available, the State Energy Resources Conservation and Development Commission, in consultation with the Department of Water Resources, to adopt by regulation, after holding one or more public hearings, performance standards and labeling requirements for landscape irrigation equipment, including, but not limited to, irrigation controllers, moisture sensors, emission devices, and valves, for the purpose of reducing the wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.~~

~~This bill would make nonsubstantive changes to these landscape irrigation equipment provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) Low carbon transportation fuels are an important element*
4 *of the state's greenhouse gas reduction policy and increasing the*
5 *supply of those fuels will help the state achieve its greenhouse gas*
6 *reduction goals.*

7 *(b) Existing incentives for the development of low carbon*
8 *transportation fuels, including the Low Carbon Fuel Standard*
9 *regulation (Subarticle 7 (commencing with Section 95480) of*
10 *Article 4 of Subchapter 10 of Chapter 1 of Division 3 of Title 17*
11 *of the California Code of Regulations), the California Global*
12 *Warming Solutions Act of 2006 (Division 25.5 (commencing with*
13 *Section 38500) of the Health and Safety Code), and Assembly Bill*
14 *118 (Chapter 750 of the Statutes of 2007), have not resulted in*
15 *sufficient development of low carbon transportation fuels.*

16 *SEC. 2. Section 38568 is added to the Health and Safety Code,*
17 *to read:*

18 *38568. (a) For purposes of this section, the following terms*
19 *have the following meanings:*

20 *(1) "Indirect land use change emission" means the carbon*
21 *emissions associated with changes in agricultural activity that*

1 result from the market-mediated effects of using an agricultural
2 commodity that is a food product as feedstock for the production
3 of the transportation fuel.

4 (2) “Very low carbon transportation fuel” means a liquid or
5 gaseous transportation fuel having no greater than 50 percent of
6 the carbon intensity of the closest comparable petroleum fuel for
7 that year, as measured by the methodology in the Low Carbon
8 Fuel Standard regulation (Subarticle 7 (commencing with Section
9 95480) of Article 4 of Subchapter 10 of Chapter 1 of Division 3
10 of Title 17 of the California Code of Regulations). The carbon
11 intensity for the transportation fuel shall include the indirect land
12 use change emission if an agricultural commodity that is a food
13 product is used as a feedstock for the production of the
14 transportation fuel.

15 (b) The state board may establish a very low carbon fuel market
16 commitment program that requires a wholesaler, producer,
17 importer, or any other entity that provides transportation fuel to
18 a retailer or sells transportation fuel to a consumer to include as
19 part of its transportation fuel sales in the state percentages of very
20 low carbon transportation fuel. The percentages of very low carbon
21 transportation fuel shall be determined by the state board and
22 measured in energy equivalent units. The state board may require
23 percentages of very low carbon transportation fuel as low as
24 one-quarter of 1 percent or as high as 2 percent.

25 (c) When the state board determines that very low carbon
26 transportation fuel sales have reached 2 percent of all
27 transportation fuel sales in the state, the state board shall notify
28 the Secretary of State and this section shall be inoperative five
29 years from that notification.

30 (d) This section does not replace or modify any existing fuel
31 standards or requirements imposed under the Low Carbon Fuel
32 Standard regulation (Subarticle 7 (commencing with Section
33 95480) of Article 4 of Subchapter 10 of Chapter 1 of Division 3
34 of Title 17 of the California Code of Regulations).

35 ~~SECTION 1. Section 25401.9 of the Public Resources Code~~
36 ~~is amended to read:~~

37 ~~25401.9. (a) To the extent that funds are available, the~~
38 ~~commission, in consultation with the Department of Water~~
39 ~~Resources, shall adopt by regulation, after holding one or more~~
40 ~~public hearings, performance standards and labeling requirements~~

1 for landscape irrigation equipment, including, but not limited to,
2 irrigation controllers, moisture sensors, emission devices, and
3 valves, for the purpose of reducing the wasteful, uneconomic,
4 inefficient, or unnecessary consumption of energy or water.

5 (b) For the purpose of complying with subdivision (a), the
6 commission shall do both of the following:

7 (1) Adopt performance standards and labeling requirements for
8 landscape irrigation controllers and moisture sensors on or before
9 January 1, 2010.

10 (2) Consider the Irrigation Association's Smart Water
11 Application Technology Program testing protocols when adopting
12 performance standards for landscape irrigation equipment,
13 including, but not limited to, irrigation controllers, moisture
14 sensors, emission devices, and valves.

15 (c) An irrigation controller or moisture sensor for landscape
16 irrigation uses shall not be sold or installed in the state unless the
17 controller or sensor meets the performance standards and labeling
18 requirements established pursuant to this section.